

Testimony in MI House Judiciary Committee  
May 26, 2015  
Civil Asset Forfeiture Reform Package  
HB's- 4499, 4500, 4503-4508

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Thank you for writing these bills and beginning the process to reign in abuses of civil asset forfeiture.

My name is Charmie Gholson and I'm here because I work to restore right relations between police and communities, and as long as Michigan's asset forfeiture abuses are left the way they stand today, that's not possible.

I'm a cops kid. My father was a Washtenaw county deputy sheriff and a career military man, retiring from the Naval Reserve as a Master Chief. This is why, in 2009, when I traveled the state delivering my newspaper, I asked everyone how their local police were responding to the newly enacted MMJ act.

This is how I learned about civil asset forfeiture, by listening to the stories of SWAT Survivors, and that is how I began my organization, Michigan Moms United.

When women started telling me about their encounters with the DTF, I didn't believe them, but after hearing hundreds of these stories, I can't turn a blind eye to what each of these SWAT Survivors have all said to me, verbatim and unprovoked

"I didn't know this could happen in America."

Today I represent Michigan families who register with the state as medical marijuana patients and caregivers and have been targeted, raided and had their assets seized by Michigan's drug task forces. Most of them can't publicly talk about their experiences so please know the women who traveled here today are courageously speaking for hundreds of Mi families terrorized by drug task forces and asset forfeiture every day.

It's rare that a SWAT warrant executed in the home of state sanctioned registry participant does not result in some kind of forfeiture. They usually conduct, "smash and grabs," and typically take whatever they want. Often times, items forfeited are not listed on the forfeiture sheets.

We have brought two SWAT survivors from ST. Clair Co to detail their asset forfeiture stories here today. They are both taking great risk of retaliation from the drug task force and prosecutors in order to testify.

**This is how Civil Asset Forfeiture decreases public safety.**

The federal government gives MI drug task forces yearly grants to “go get drugs” but not murderers or rapists, which they do, using SWAT teams.

Using SWAT to investigate compliance with the MMMA creates danger where none existed. This definitely decreases public safety.

**2013 State Wide ASSET FORFEITURE “earnings”**

\$20,229,080

**2013 Statewide federal grants awarded to local police for drug interdiction only**

\$6.4 Million

Most of this money went to support anti-drug efforts, focusing primarily on multi-jurisdictional task forces.

**So who are Michigan police arresting with all of this money and how does it impact public safety?**

Police have the highest arrest rates for crimes that allow them to take forfeitures. It’s really that simple.

Here are Michigan State Police 2013 state-wide arrest rates per incident of reported crime. There is very little difference in arrest rates for drugs and rape from county to county, or year to year.

**Michigan State Police Crime States 2013**

<b>Crime</b>	<b>arrests/incidents = arrest rate</b>
Prostitution	307/373 = 82%
Drugs	35664/45338 = 78%
Murder	258/585 = 44%
Felonious assault	8954/22813 = 39%
Robbery	2223/10201 = 21%
Rape	1508/9780 = 15%

MI is a great place to live if you’re a rapist, but not if you’re a medical marijuana registry participant.

In order to clarify and to avoid misunderstanding down the line, we would like to see language expressly naming the multi-jurisdictional task forces as agencies from whom reporting is required, like this:

"Or multi-jurisdictional task force or any entity created by inter-local or inter-agency agreement as provided for in the Urban Cooperation Act, M.C.L.A. 124.501 or other law."

MMU fully supports and welcomes the four reporting bills, 4503 through 4507. We request 6 month reporting cycles rather than one year.

Once we have the data, then we can decide on proper limits and reforms required. The danger is in accepting token reform.

We will, however, stand neutral on the remaining four bills and hold out for the gold standard that Washington DC, Montana and New Mexico have already instituted by requiring a conviction before forfeiting property, and depositing all forfeitures into the general account, because that is the only way to remove all incentivizing of policing for profit.